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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re application of: Wallerstein et al.

Attorney Docket No.: XENOP004

Application No.: To be assigned

Examiner: To be assigned

Filed: Herewith

Group: To be assigned

Title: IMPROVED IMAGING LENS  
ARRANGMENT DESIGNED FOR LOW LIGHT  
CONDITIONS

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the  
United States Postal Service as First Class Mail to: Commissioner for  
Patents, Washington, DC 20231 on September 17, 2001.

Signed:

Natalie Morgan

Natalie Morgan

**POWER OF ATTORNEY BY ASSIGNEE AND 37 CFR §3.73 STATEMENT**

Commissioner for Patents  
Washington, D. C. 20231

Sir:

**XENOGEN** is the assignee of the above-referenced patent application by virtue of an  
assignment document. The assignment document is/was recorded:

☐ at Reel \_\_\_, Frame(s) \_\_\_☐ on \_\_\_\_\_☒ submitted concurrently herewith

The assignee represents, pursuant to 37 C.F.R. §3.73(b), that the undersigned is a representative  
authorized and empowered to sign on behalf of the assignee.

Pursuant to 37 C.F.R. §§1.36 and 3.71, the assignee hereby revokes all powers of  
attorney previously given and hereby appoints the law firm of Beyer Weaver & Thomas, LLP  
and all practitioners who are associated with the **Customer Number 022434** as principal  
attorneys to prosecute this application and transact all business in the Patent and Trademark  
Office connected therewith.

Please send all correspondence for this application as follows:

**Customer Number 022434**  
**BEYER WEAVER & THOMAS, LLP**  
P.O. Box 778  
Berkeley, CA 94704-0778



Please direct any calls to **Mary R. Olynick** (510) 843-6200.

Assignee of Interest:

Xenogen Corporation  
860 Atlantic Avenue  
Alameda, CA 94501

Date

9/14/01

Paulette Dillon

Name: Paulette Dillon

Title: Vice President, Commercial Development

# DECLARATION FOR ORIGINAL U.S. PATENT APPLICATION

Attorney's Docket No. XENOP004

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: IMPROVED IMAGING LENS ARRANGEMENT DESIGNED FOR LOW LIGHT CONDITIONS, the specification of which,

- (check one)
1. ☒ is attached hereto.
  2. ☐ was filed on \_\_\_\_\_ as  
U.S. Application No. \_\_\_\_\_  
and was amended on \_\_\_\_\_.
  3. ☐ was filed on \_\_\_\_\_ as  
International PCT Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, CFR §1.56.

## Prior Foreign Application(s)

I hereby claim foreign priority benefits under Title 35, United States code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

			Priority Benefits Claimed?
			Yes No
_____ (Appl. No.)	_____ (Country)	_____ (Date Filed- Day/Month/Year)	Yes No
_____ (Appl. No.)	_____ (Country)	_____ (Date Filed- Day/Month/Year)	Yes No

## Provisional Application(s)

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

_____ (Application No.)	_____ (Filing Date)
_____ (Application No.)	_____ (Filing Date)

## Prior U.S. Application(s)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this applications is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

_____ (Application No.)	_____ (Filing Date)	_____ (Status - patented, pending, abandoned)
_____ (Application No.)	_____ (Filing Date)	_____ (Status - patented, pending, abandoned)

(Application No.)

(Filing Date)

(Status - patented, pending, abandoned)

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Send Correspondence To:

**Customer Number: 022434**  
**BEYER WEAVER & THOMAS, LLP**  
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Berkeley, CA 94704-0778



Direct Telephone Calls To:

**Mary R. Olynick at telephone number (510) 843-6200**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Typewritten Full Name of

Sole or First Inventor: Edward P. Wallerstein

Citizenship: United States

Inventor's signature: *Edward P. Wallerstein*

Date of Signature: 9/13/01

Residence: (City) Pleasanton

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Full Name of Second Joint

Inventor (if any): David Nilson

Citizenship: United States

Inventor's signature: \_\_\_\_\_

Date of Signature: \_\_\_\_\_

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Full Name of Third Joint

Inventor (if any): Bradley W. Rice

Citizenship: United States

Inventor's signature: \_\_\_\_\_

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Full Name of Fourth Joint

Inventor (if any): Raymond Frazee

Citizenship: United States

Inventor's signature: \_\_\_\_\_

Date of Signature: \_\_\_\_\_

Residence: (City) Alameda

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Atty. Dkt. No.: XENOP004

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Inventor's signature: \_\_\_\_\_

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Full Name of Second Joint

Inventor (if any): David Nilson

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Inventor's signature: *David Nilson*

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Full Name of Third Joint

Inventor (if any): Bradley W. Rice

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Inventor's signature: *Bradley W. Rice*

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Citizenship: United States

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Full Name of Fourth Joint

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